

From: Bruce W. Bromley
To: Microsoft ATR
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Subject: Microsoft Settlement

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Dear Sirs:

I would like to comment on the proposed final judgment between the United States of America and Microsoft Corporation. I feel strongly that this proposed settlement is inadequate to protect consumers and software developers from Microsoft's monopolistic practices.

Although I feel there are many problems with the proposed settlement, I will discuss only one - running programs in Windows ("middleware") not developed by Microsoft or using Microsoft proprietary tools. Section H of the proposed settlement is vacuous.

As I read section H, it requires that Microsoft not preclude the use of non-Microsoft programs. The caveat is that non-Microsoft programs must implement Microsoft - proprietary constructs (e.g. "ActiveX") and architectures ("a server maintained by Microsoft" - i.e. anything running Windows). The net result is that only Microsoft-based software can be used with Windows.

Any acceptable settlement should unequivocally restrain Microsoft and threaten disembowelment.

Sincerely,

Bruce W. Bromley, Ph.D.